

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: Expanding Access to Broadband and Encouraging Innovation through Establishment of an Air-Ground Mobile Broadband Secondary Service for Passengers Aboard Aircraft in the 14.0-14.5 GHz Band, GN Docket No. 13-114, RM-11640.

For about a decade, the Commission has seen a steady increase in interest for high-speed Internet, on airplanes, and we have taken a number of actions to address this trend. In 2005, the FCC reconfigured the 800 megahertz band, to provide four megahertz of spectrum for broadband service to airline consumers. Last year, the Commission adopted rules to further enable fixed satellite service, or FSS, licensees, to provide broadband service on aircraft.

But the record before the agency demonstrates a need to do more in order to satisfy consumer demand for quality inflight broadband service. A recent study predicts that the number of aircrafts offering broadband service will continue to rise from about 3,000 in 2012, to 15,000 by 2021. Today's airline passengers expect the same level of broadband service that is available on the ground. It appears, however, that current inflight options carry higher prices but offer much lower speeds, than terrestrial broadband.

Fortunately, the record before the agency also suggests that there could be at least one viable option to meet the demand for improved inflight service. The NPRM states that a terrestrial-based Air-to-Ground Mobile broadband service using 150 to 250 base stations in the 14 GHz band could provide 300 Gigabits per second to passengers on aircrafts. This broadband service would receive secondary status and there would be technical rules to protect primary licensees, such as Fixed Satellite Services in the K-U Band, and co-secondary Federal agencies. The key to this type of band sharing is spatial diversity. FSS earth station antennas would point to the south and above the horizon; while Air-to-Ground service base stations would point to the north.

To be sure, many of the rules proposed in this NPRM were initiated by a 2011 petition that Qualcomm filed. The International Bureau, however, put this petition out for public comment. This process allowed for the development of a substantial engineering analysis of the potential technical issues that could arise if this service is permitted in the 14 GHz band. Today, we seek comment on initial proposals to address those issues. And, as is the normal course at the Commission, we will keep an open mind until the record is closed. We are proposing a number of rules that could lead to other entities offering this service. For example, consistent with Section 309(j) of the Communications Act, we propose to use competitive bidding when mutually exclusive applications are accepted for filing.

In addition, this item seeks comment on the proper geographic licensing schemes, secondary market proposals, and bidding credits for small businesses that could be applied to this service. These policies promote the Commission's traditional interests in competition, innovation, and investment. Therefore, I am pleased to support the adoption of this NPRM, which is the result of an interoffice effort that included several members of the International Bureau, the Office of Engineering and Technology, and the Wireless Bureau. I wish to thank them all, for their contributions, to this item.